

Stephen W. Rupp, Trustee (2824)  
**McKAY, BURTON & THURMAN**  
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IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
DISTRICT OF UTAH, CENTRAL DIVISION

In re: : Bankruptcy No. 11029642 WTT  
JERAMYAH WILDE PRESCOTT and :  
SHAUNTEL PRESCOTT, :  
(Chapter 7)

## Debtors.

**MOTION TO EXTEND DEADLINE FOR FILING COMPLAINTS CONCERNING  
THE DEBTORS' DISCHARGE AND MOTION FOR TURNOVER ORDER**

The Trustee in the above-captioned case, Stephen W. Rupp, hereby requests that the Court extend the deadline for filing complaints concerning the debtors' discharge. The present deadline is October 11, 2011. The Trustee requests that the deadline be extended for three months or up to and including ***January 11, 2012***. The Trustee also requests an order of the Court requiring the debtors produce and turnover books, records, documents and information of the bankruptcy estate by a date certain. The Trustee requests this relief as to the Trustee only. The Trustee requests this relief for the following reasons:

1. The First Meeting of Creditors was conducted on August 11, 2011. In anticipation of the First Meeting of Creditors, the debtors produced incomplete and in part illegible copies of 2009 and 2010 tax returns. A directive was issued requesting that the debtors produce full and complete legible copies of prepared and filed State and Federal income tax returns for 2009 and 2010. As of the date of the filing of these motions, the debtors have not yet produced copies of those tax returns.

2. The debtor also indicated that he had changed from a W-2 employee to a 1099 contractor just months prior to the filing of the bankruptcy case. The Trustee has requested copies of the paychecks or transfers of 1099 income received by the debtor since April 1, 2011 up through August 11, 2011. As of the date of the filing of these motions, the debtor has not yet produced copies of the evidence of his income received during the months just prior to and since the filing of the bankruptcy petition.

3. The Trustee considers all that has been requested at the First Meeting of Creditors necessary in the investigation of the debtors' financial affairs and dealings, the identification of property or claims of the bankruptcy estate and the administration of the estate. The debtors' failure to produce and turnover raises issue concerning debtors' failure to comply with debtors' duties under the Bankruptcy Code and Rules and debtors' entitlement to a Chapter 7 discharge.

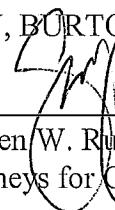
WHEREFORE, the Trustee hereby requests that the deadline for filing complaints concerning debtors' discharge be extended for three months or up to and including ***January 11***,

**2012.** The Trustee also requests an order of the Court requiring that the debtors produce and turnover within fourteen (14) days after the entry of a turnover order, the following:

- (a) Full and complete legible copies of prepared and filed tax returns for 2009 and 2010, including all schedules and supporting documents, including Schedule E, Schedule A and Schedule SE.
- (b) Copies of all paychecks or evidence of 1099 income received by the debtors since April 1, 2011 through August 11, 2011.

DATED this 11 day of October, 2011.

McKAY, BURTON & THURMAN

By 

Stephen W. Rupp  
Attorneys for Chapter 7 Trustee

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion To Extend Deadline For Filing Complaints Concerning Debtors' Discharge and Motion For Turnover Order was mailed, postage prepaid, on the 11 day of October, 2011, to the following:

U.S. Trustee's Office (Sent via ECF)  
405 South Main Street, Suite 300  
Salt Lake City, UT 84111

Jeramyah and Shauntel Prescott  
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South Jordan, UT 84095

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